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March 29, 2024

Hon. Vernon S. Broderick, U.S.D.J.
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

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Re: Goidel et al. v. Aetna Life Insurance Co., No. 21-cv-7619

Dear Hon. Broderick:

Pursuant to the Court's order (Dkt. 85), we write on behalf of all parties to provide a status report on settlement discussions and to request one final 35-day extension of the stay imposed in this case to allow the parties complete our nearly-final class action settlement agreement. As detailed in prior updates, the parties have reached agreement in principle on all material terms of the settlement. However, the structure of this settlement is exceptionally complex and includes both monetary and injunctive relief that require consideration by Aetna of a number of important operational issues. For example, the anticipated injunctive relief impacts numerous contracts between Aetna and third parties, including various public entities and labor organizations, whose unique contracting processes need to be taken into consideration in implementing the anticipated relief. Similarly, the anticipated monetary relief involves potential reprocessing of claims extending as far back as 2017. Aetna is working to identify and address any data limitations that may impact its ability to execute the anticipated relief. In sum, while the parties are in alignment as to the intended relief, there remain some important operational issues that need to be resolved to ensure the relief can be implemented in the manner the parties intend.

The parties have engaged the assistance of a Settlement Administrator, as well as mediator Honorable Steven Gold, U.S.M.J. (Ret.) to resolve the last remaining issues and to finalize all necessary notices, forms and documents, which will be incorporated into the settlement agreement. The notices and claim forms, in particular, are complex and interrelated and the parties need additional time to address timelines and operational issues implicated by those documents. Counsel for the parties have been conducting weekly meetings since December 2023 to discuss and resolve drafting issues, some of which were unforeseen. At this stage, we are talking several times a week in an effort to bring this matter to a close as quickly as possible.

Although both parties have been working cooperatively and diligently and have reached agreement on most material terms, they are not in a position to file a motion for preliminary approval by March 29th. Given the complexity of this settlement, the parties need additional time to resolve certain operational issues and to finalize the agreement, including notices and other attendant documents. The parties anticipate that they will be able to: finalize the settlement agreement by April 12, 2024; finalize the integrated forms and notices by April 26, 2024; and file a motion for preliminary approval by May 3, 2024. Accordingly, the parties request that the Court grant one final extension of the stay for 35 days from March 29th to May 3rd.

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The parties respectfully ask the Court to so order this request. We are available at the Court's convenience to discuss this matter or provide additional information in support of our request.

Respectfully submitted,

/s/ Zoe Salzman

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